REMARKS/ARGUMENTS

Claims 1-24 remain in this application for consideration. Claim 24 is a newly submitted claim. Claims 1-23 have not been amended by the present amendment. No new matter has been added.

I. Objection to the Specification

In the Office Action dated July 2, 2004, the Examiner objected to the specification for informalities. Specifically, the Examiner indicated that any trademarks used in the application should be capitalized throughout. As set forth above, applicants have made the proper changes.

II. Rejection of claims 1-2, 5-7, 12-13, 15, 19-20, and 23 under 35 U.S.C. 102(b)

Claims 1-2, 5-7, 12-13, 15, 19-20, and 23 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,961,590 issued to Mendez et al. (hereinafter "Mendez"). Applicants respectfully traverse the rejection. Applicants acknowledge that Mendez uses very similar terminology as that used in the present invention. However, Mendez teaches a very different invention than that claimed in the present invention.

The preamble of claim 1 specifically recites "[a] computer-implemented method for resolving a conflict...." (Emphasis added). Claim 1 continues by reciting the step of "determining if the conflict detected comprises a difference between the at least one mergeable property of the first data object and the at least one corresponding mergeable property of the second data object." Claim 1 also recites the step of "merging the first data object and the second data object to resolve the conflict." (Emphasis added). Mendez does not teach or otherwise

suggest any of these limitations. Specifically, Mendez does not teach resolving a conflict through any type of merger.

Mendez specifically teaches as follows:

> If no conflict is found, then method **700** jumps to step **750** for translating and forwarding the changes in each version to the other store. However, if a conflict is found, then the content-based synchronization module **430** in step **775** reconciles the modified versions. As stated above, reconciliation my include requesting instructions from the user or based on preselected preferences performing responsive actions such as storing both versions at both stores.

(Col. 10, lines 59-67). (Emphasis added). Mendez simply does not teach or otherwise suggest merger as a solution to a conflict. If a conflict arises in Mendez, the user is required to either manually address the conflict or store two versions of a conflict. This is one of the very problems with the prior art. Frequently, a user is notified of a conflict that is false or irrelevant. However, the user is still required to expend time and energy addressing these false conflicts. Also, if both versions of a property are stored, the user must address both versions and storage capacity is used by double storage. The present invention addresses at least these problems with the prior art by identifying a conflict and applying merger to overcome the conflict. Accordingly, applicants assert that independent claim 1 is allowable over Mendez. Claims 12, 19 and 24 are also independent claims. Applicant asserts that those claims are allowable for at least the same reasons set forth above in support for claim 1.

Regarding claims 2, 5-7, 13, 15, 20 and 23 of the present invention, applicants assert that the limitations of those claims are not taught or otherwise suggested by Mendez. Furthermore,

claims 2, 5-7, 13, 15, 20 and 23 ultimately depend from claims 1, 12 and 19, respectively. Claims 1, 12 and 19 are clearly allowable as set forth above, and as such, claims 2, 5-7, 13, 15, 20 and 23 are also thought allowable.

III. Rejection of claims 3, 8-11, 14, 16-18 and 21-22 under 35 U.S.C. 103(a)

Claims 3, 11, 14, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mendez in view of U.S. Patent No. 6,295,541 issued to Bodnar et al. (hereinafter "Bodnar"). Claims 4 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mendez in view of U.S. Patent No. 6,546,417 issued to Baker and further in view of Bodnar. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mendez in view of Baker. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mendez in view of U.S. Patent No. 5,247,438 issued to Subas et al. (hereinafter "Subas"). Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mendez and Subas in view of Bodnar. Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mendez in view of U.S. Patent No. 5,758,354 issued to Huang et al. (hereinafter "Huang"). Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mendez and Huang in view of Bodnar.

Applicants respectfully disagree with the above-stated rejections. Applicants assert that the prior art cannot be modified in the manner suggested in the Office Action. Also, all the limitations of claims 3, 8-11, 14, 16-18 and 21-22 are not taught or otherwise suggested by the cited art. Furthermore, the Examiner's 35 U.S.C. 103(a) rejections depend from the above-stated 35 U.S.C. 102(b) rejection. The claims are clearly patentable under 35 U.S.C. 102(b), and therefore, the Office Action's 35 U.S.C. 103(a) assertions fail.

In view of the foregoing amendments and remarks, all pending claims are believed to be allowable and the application is in condition for allowance. Therefore, a Notice of Allowance is respectfully requested. Should the Examiner have any further issues regarding this application, the Examiner is requested to contact the undersigned attorney for the Applicants at the telephone number provided below.

Respectfully submitted,

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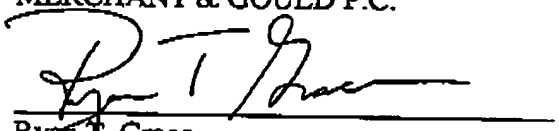

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